

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 2: Ojo Caliente

Subfile No. 36.4-A

ORDER AMENDING SUBFILE ORDER FILED AUGUST 6, 1975

THIS MATTER is before the Court upon the March 12, 2008 Motion (Docket No. 9129) of the Plaintiff State of New Mexico *ex rel.* State Engineer to Amend Subfile Order Filed August 6, 1975.

Having reviewed the Motion and being otherwise fully advised in the premises, I find that the motion is well-taken, and that it should be GRANTED.

IT IS ORDERED, THEREFORE, that the Order entered August 6, 1975 (Docket No. 2739-40) in subfile 36.4-A should be amended as follows:

Paragraph I (B) of the Order entered August 6, 1975 is deleted;

The following paragraph III is added to the Order:

III. Purpose – Hot Springs Use (including bathing, heating and medicinal uses)

A. State Engineer File No.: 02263
Priority: September 11, 1793

Points of Diversion:

Spring No. 1, located on the New Mexico State Plane Coordinate System Central Zone, as follows: X = 558,150 and Y = 1,930,140.

Spring No. 2, located on the New Mexico State Plane Coordinate

System Central Zone, as follows: X = 558,170 and Y = 1,930,120.

Spring No. 3, located on the New Mexico State Plane Coordinate System Central Zone, as follows: X = 558,200 and Y = 1,930,180.

Spring No. 4, located on the New Mexico State Plane Coordinate System Central Zone, as follows: X = 558,220 and Y = 1,930,090.

Spring No. 5, located on the New Mexico State Plane Coordinate System Central Zone, as follows: X = 558,130 and Y = 1,930,140.

Within the Ojo Caliente Grant, as shown on hydrographic survey map sheet No. 36.

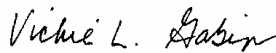
Amount of Water: Amount of water necessary for bathing, heating and medicinal purposes not to exceed 0.52 acre-feet consumptive use per year; the remainder of the waters diverted shall be returned undiminished in quantity and quality to the natural water course of the Rio Chama Stream System.

IT IS SO ORDERED.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

Recommended for approval:



SPECIAL MASTER VICKIE L. GABIN